

REMARKS

Claims 1-21 are pending in the present application. By this amendment, Applicants amend independent claims 1, 12, and 19. Further, in view of the following remarks, Applicants submit that all of the pending claims are in condition for allowance.

In the Office Action, the Examiner rejected claims 1-21 under 35 U.S.C. § 102(b) as being anticipated by the Template Software product line (includes the SNAP programming language, the Workflow Template, and the Web Component).

The Examiner also rejected claims 19-21 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants respectfully traverse the rejections and request allowance of claims 19-21.

I. Rejections under 35 U.S.C. § 101

The Examiner rejected claims 19-21 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Previously pending independent claim 19 has been amended to recite, among other things, “a computer program product containing instructions which, when executed on a processor, form a system for developing an application.” Since the result is “a computer program product,” the result is a tangible result which qualifies as statutory subject matter under 35 U.S.C. § 101. In view of this amendment, Applicants respectfully request that the Examiner withdraw the rejection of claim 19 under 35 U.S.C. § 101. Since claims 20 and 21 depend from claim 19, Applicants respectfully request that the Examiner withdraw the rejection of claims 20 and 21 under 35 U.S.C. § 101.

II. Rejections under 35 U.S.C. § 102

Claims 1, 12, and 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Template Software product line (includes the SNAP programming language, the Workflow Template, and the Web Component). Applicants respectfully traverse these rejections.

In order to support a rejection under 35 U.S.C. § 102(b), each and every element as set forth in the claims must be found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131. The Template Software product line fails to teach each and every element of claims 1, 12, and 19.

Independent claims 1, 12, and 19 recite a combination including, *inter alia*, a method for defining file borders for development objects in a data model where “the data model includes a component class and a model class associated with the component class.” The Template Software product line fails to disclose at least this claim element.

Since the Template Software product line fails to teach each and every element of claims 1, 12, and 19, the rejection of claims 1, 12, and 19 under 35 U.S.C. § 102(b) is improper and must be withdrawn.

Since independent claims 1, 12 and 19 are allowable, based on at least the above reasons, the claims that depend on claims 1, 12 and 19 are likewise allowable. Thus, for at least this reason, dependent claims 2-11, 13-18, and 20-21, are allowable over the Template Software product line. Applicants therefore respectfully request that

the rejection under 35 U.S.C. § 102(b) be withdrawn and that claims 1-21 be allowed in the next official communication from the Office.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 12, 2007
(Feb. 10, 2007, being a Saturday)

By: 

Jeffrey A. Berkowitz
Reg. No. 36,743